



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

ADVANCE COPY BY FACSIMILE

Jeffrey Poston, Esq.
King, Pagano & Harrison
1730 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

February 1, 2000

RE: MUR 4941
Friends for Harry Reid and
Cliff Beadle, as Treasurer

Dear Mr. Poston:

On October 28, 1999, the Federal Election Commission found that there was reason to believe Friends for Harry Reid and Paul Eisenberg, as treasurer, violated 2 U.S.C. §§ 432(b)(1) and (c)(3), 434(b)(3)(A) and (E), and 434(b)(2)(G), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations 11 C.F.R. §§102.8(a), 104.3(a)(3)(vii)(B) and 104.8(a).

On November 7, 1999, a letter addressed to Mr. Eisenberg was mailed notifying the Committee and its treasurer of the Commission's reason to believe finding.¹ In this letter, your clients were asked to voluntarily answer three enclosed interrogatories and to produce one document within 30 days of receipt of the letter. On December 7, 1999, you contacted me to make me aware that you had just received a copy of the materials sent to your client. At that time, you also informed this Office that Paul Eisenberg was no longer the Treasurer of Friends for Harry Reid. On December 9, 1999, you submitted to this Office, via facsimile, a copy of the counsel designation form. On December 15, 1999, you requested a copy of a letter written by Janice Miller, Vice Treasurer of Friends for Harry Reid, that had been referenced in the Factual and Legal Analysis accompanying the notification letter. A copy of this letter was sent to your office via facsimile. We have spoken twice in the month of January regarding this matter and you have told me that the interrogatories and document request were pending because Senator Reid was out of the country. When we spoke today, you informed me that Senator Reid was back in the country and that the campaign did not have a copy of the check which we requested. I told you to call me back later today when you obtained more information and that I was sending you a letter regarding this matter.

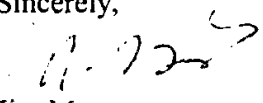
¹ A copy of the letter was also sent to Senator Reid.

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This Office still hopes that your clients will respond voluntarily to the discovery requests. However, almost three months have elapsed since those requests, which are neither lengthy nor complicated, were mailed to your client. When we speak later today, please be prepared to set a definite deadline for response. Even if the check cannot be produced yet, there appears to be no reason to hold up the response to the interrogatories. Unless this outstanding discovery matter can be resolved expeditiously, this Office will assume your client does not intend to cooperate voluntarily and we will need to consider other options.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Jim Moye
Law Clerk

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